

Filed for intro on 02/19/97  
SENATE BILL 574 By  
Gilbert

HOUSE BILL 1333  
By Boner

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter  
16, relative to state officials, employees and their  
associates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 16, Part 4, is amended by  
adding the following new section:

Section \_\_\_\_\_. (a) A person who has been a state public officer or employee, as  
defined in subsection (d), of the state of Tennessee shall not act as an agent, an  
attorney or a representative in any capacity for another person, in expectation of  
compensation in any matter related to duties or responsibilities of the employee while  
employed, for twelve (12) months after the person's state service terminated.

(b) A person who has been a state public officer or employee, as defined in  
subsection (d), of the state of Tennessee shall not act as an agent, or attorney, or a  
representative in any capacity for another person, in expectation of compensation before  
any agency, department, or related official with which, for at least six (6) months, the  
employee was associated while employed, for twelve (12) months after the person's  
state service terminated.

(c) A person who has been a state officer or employee, as defined in subsection  
(d), of the state of Tennessee shall not act as a agent, an attorney or a representative in  
any capacity for another person, in expectation of compensation in any judicial or quasi-

\*600000000\*

60000000

\*001914\*

\*00191417\*

judicial proceeding, application, contract, claim or change that might be related to any judicial or quasi-judicial proceeding in which the employee was personally and substantially involved, as a public officer.

(d) The provisions of this section shall apply to the following state public officials and employees:

- (1) Members of the governor's personal staff;
- (2) Members of the governor's cabinet;
- (3) Officers provided for in the constitution of Tennessee;
- (4) State employees of regulatory agencies, including independent regulatory agencies; and
- (5) Members of the general assembly.

(e) The provisions of this section shall not apply to the following state public officials and employees:

- (1) Individuals working for compensation under contract with or for the benefit of the state;
- (2) Individuals with outstanding qualifications in a scientific or technological field needed in any advisory capacity; and
- (3) Individuals required to testify under oath subject to a penalty of perjury.

(f) Except as provided in subsection (g)(2), violation of this section is a Class D felony.

(g)

- (1) A person who is a partner of a state officer or employee shall not act as an agent, or attorney or a representative in any capacity under circumstances in which the employee is forbidden to act for twelve (12) months after the person's service terminated.

(2) Violation of this subsection is a Class E felony.

SECTION 2. This act shall take effect January 1, 1998, the public welfare requiring it.